

Either he or she must be counted as a scholarship athlete for varsity competition and in most cases that is impossible because the university usually has its full limit of scholarships. Or the option then is to accept the aid and not be able to participate in the sport. I suppose the other option would be to forego the aid. That is what NCAA rules require. That is unfair to that athlete. That is unfair to that student. But to comply with those NCAA rules, the athletic department or the team or the coach has to say, look, we can't count you as a scholarship athlete, we're at our limit; you either have to accept this aid and not participate or you have to reject the aid in order to participate. That's the hard reality. It doesn't happen in a lot of cases, I'm told maybe three, four or five people per year at most, but that's what happens. To comply with NCAA rules, in effect, you disadvantage the student. It's something the university doesn't like but it's something, as a member of the association, they have to abide by. If this law passes that prohibits this type of enforcement of this NCAA rule or compliance with this NCAA rule, then you get the direct confrontation between state law if this bill passes and the NCAA rules as they are implemented.

SENATOR HANNIBAL: One minute.

SENATOR McFARLAND: I guess that's the problem that occurs, that's the dilemma that it puts the university in. The question is, do you want to try and remedy it through, as the university tries to do, through the NCAA rules which is sometimes a long and arduous process, or if this bill is passed, then you set up the direct confrontation, you set up a court case and you set up some uncertainty as to what will be the consequences. My understanding is the university is concerned about any type of court case, that they don't want to have a direct confrontation that could result in possible sanctions against them. They would rather do it through the NCAA and try to get the changes made there.

SENATOR HANNIBAL: Thank you. Mr. Clerk, I understand we have a priority motion before us.

CLERK: Mr. President, I do. I have a motion from Senator Langford to adjourn till Monday, February 5 at nine o'clock.

SENATOR HANNIBAL: Before we entertain that motion, do you have anything for the record, Mr. Clerk?